



IN THE UNITED STATES OF AMERICA  
PATENT AND TRADEMARK OFFICE

**In re the application of:** Peter W. Fajkowski

**Attorney Doc. #:** 18121/100233-07

**Serial No.:** 09/297,532

**Examiner:** Daniel St. Cyr

**Filed:** June 28, 1999

**Art Unit:** 2876

**For:** Method and Apparatus for Coupon Management and Redemption

**Mail Stop FEE RESPONSE**

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION**

In the Office Action dated 01/02/04, the Examiner rejected claims 43-53. Claims 45 and 50-52 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnsen, U.S. Patent 5,250,789. Claims 43, 44, 47-49, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aucsmith, U.S. Patent 5,663,553, in view of Johnsen.

**REMARKS**

Applicant is canceling claims 43-53 and presenting new claim 54 which is identical to original claim 25 which was under appeal. Claim 25 was rejected in a 05/29/02 Office Action as obvious over U.S. Patent 5,424,524 to Ruppert in view of U.S. Patent 5,420,606 to Begum.

The Examiner stated that Ruppert disclosed broadcasting predetermined coupon data to a specific device, wherein the signal is modified to be received by said storage device. The Examiner cited col. 5, line 48 to col. 6, line 18 of Ruppert in support of his rejection.

However, applicant submits that the cited portion of Ruppert does not disclose broadcasting coupon data and certainly does not disclose modifying a broadcast signal to be